



20 September 2018

Committee Secretary
Senate Education and Employment Committees
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Parliament House
Canberra ACT 2600

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Dear Madam/Sir

UnionsWA submission to inquiry into the provisions of the Fair Work Amendment (Family and Domestic Violence Leave) Bill 2018

UnionsWA is the governing peak body of the trade union movement in Western Australia, and the Western Australian Branch of the Australian Council of Trade Unions (ACTU). As a peak body we are dedicated to strengthening WA unions through co-operation and co-ordination on campaigning and common industrial matters. UnionsWA represents around 30 affiliate unions, who in turn represent approximately 140,000 Western Australian workers.

UnionsWA thanks the Committee for the opportunity to make a submission to the inquiry into the *Fair Work Amendment (Family and Domestic Violence Leave) Bill 2018*. Unions are seeking to ensure paid family and domestic violence leave is available for all working people as a long overdue condition. Last year, the WA Police Service reported that there were over 50,000 family and domestic violence incidents in Western Australia. These included almost 24,000 incidents recorded in which children were exposed to family violence.¹ This gives WA the second highest rate of domestic violence in the country (after the Northern Territory).² UnionsWA agrees with the ACTU that domestic violence leave is a right that should be secured in legislation, and supports it being included in the National Employments Standards.

However, that leave being *paid* is essential for any worker experiencing domestic violence so they are able to maintain employment and financial security to escape an abusive or violent situation. Domestic violence leave must provide financial and employment security for time off, including for attending court hearings or looking for a safe home to relocate children. Information from Australian Services

¹ 'Spike in domestic violence incidents during the festive season' (2 December 2017)

<https://www.mediastatements.wa.gov.au/Pages/McGowan/2017/12/Spike-in-domestic-violence-incidents-during-the-festive-season.aspx>

² 'WA domestic violence figures expected to reach alarming numbers over Christmas-New Year period, police say' (2 December 2017) <http://www.abc.net.au/news/2017-12-02/wa-domestic-violence-figures-expected-to-reach-alarming-numbers/9220222>

Union members in New South Wales who are frontline workers in the sector suggests that escaping an abusive relationship can cost \$18,000 and take 141 hours, almost all during business hours.³

Therefore the five days unpaid Family and Domestic Violence Leave proposed in this *Bill* falls far short of providing enough time, or money to ensure workers experiencing family or domestic violence can escape to safety and protect their families.

Earlier this year, the ACTU Congress resolved to campaign for ten days paid family and domestic violence leave as a National Employment Standard Across Australia, unions have achieved domestic violence leave for over 1.6 million employees through workplace bargaining.⁴ Unions will continue to bargain for provisions designed to protect and support employees who are subjected to family or domestic violence, with an aim to achieving 20 days paid leave. In October 2017 the WA State Labor government and the State Public Sector Union (CPSU/CSA) reached an agreement to include 10 days paid family and domestic violence leave in the WA government Public Sector Wages Policy.⁵ The need for the policy has been vindicated by figures showing that 80 FDV leave days and an additional 480 hours in part days were accessed by eligible employees between August 2017 and February 2018. In the recent past, these workers may have had to manage their circumstances without available leave and would have found it very difficult.⁶

Therefore the Federal government needs to do much more to help workers who need to leave abusive relationships for the sake of their own lives and those of their children. People in this situation can rarely afford to take unpaid time off. The Bill needs to adopt 10 days *paid* leave as the minimum.

UnionsWA and its affiliates thank the Committee for the opportunity to make this submission. Please contact me if you would like to discuss matters further.

Yours sincerely

Meredith Hammat

Secretary

³ 'Cost of fleeing violent relationship is \$18,000 and 141 hours: ACTU' (13 November 2017) <https://www.sbs.com.au/news/cost-of-fleeing-violent-relationship-is-18-000-and-141-hours-actu>

⁴ ACTU Congress 2018 'Change the Rules for Working People' <https://www.actu.org.au/our-work/actu-congress/actu-congress-2018/actu-policies>

⁵ 'McGowan Government reaches agreement with CSA' (19 October 2017) <https://www.mediastatements.wa.gov.au/Pages/McGowan/2017/10/McGowan-Government-reaches-agreement-with-CSA.aspx>

⁶ 'Domestic violence leave for WA public servants "vindicated" by strong uptake' (21 August 2018) <http://www.abc.net.au/news/2018-08-21/wa-public-servants-have-used-150-days-of-domestic-violence-leave/10144296>